

Exhibit

A

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

MITCHELL WASILEWSKI,
on behalf of himself and all other
persons similarly situated, known and
unknown,

Plaintiff,

vs.

Case No:
Hon.
Magistrate Judge

SILVERSTAR DELIVERY LTD,
an Illinois for-profit company, **GOLD
STANDARD**

TRANSPORTATION, INC., an
Illinois for-profit company, and
AMAZON.COM, LLC, a Delaware
for-profit company,

Defendants.

Bryan Yaldou (P70600)
Law Offices of Bryan Yaldou, PLLC
23000 Telegraph, Suite 5
Brownstown, MI 48134
Phone: (734) 692-9200
Fax: (734) 692-9201
Bryan@yaldoulaw.com
Attorneys for Plaintiff

MITCHELL WASILEWSKI'S DECLARATION

1. I worked as a delivery driver with Silverstar Delivery from February 2017 until January 2018.

2. As a delivery driver, I delivered Amazon's packages to Amazon's customers.

3. In January 2017, I saw a posting for a delivery driver with Silverstar Delivery online.

4. I filled out the application for the position online.

5. I was contacted by a man name John from an Illinois phone number. I think he was management for Silverstar.

6. John set up a meeting with a man named Kou at the Amazon Warehouse in Brownstown, MI.

7. Kou told me that the delivery driver position paid \$140.00 per day on the week days and \$165.00 per day on the weekends. Kou told me that the drivers didn't work more than 10 hours a day and that my hourly rate would work out to be \$14.00 per hour on the week days and \$16.50 per hour on the weekends.

8. When I asked if the job paid overtime, Kou told me that drivers did not make overtime because the drivers made more than the route paid. It was unclear who paid Silverstar for the route.

9. Kou told me that the shift began at 5:30 a.m. and that workers worked until the route was done.

10. Kou offered me the position at that meeting and I accepted it.

11. I had to fill out W-2 information, direct deposit information, and a waiver that said if there was any damage to the "Rabbit" scanner pay could be deducted from my paycheck. I never signed any kind of employment contract. I had to e-mail my paperwork to a HR lady who worked in Chicago, IL.

12. After the interview, I had to watch a two-minute video created by Amazon about becoming a driver for Amazon. It gave instructions about how do be a delivery driver for Amazon.

13. I started as a driver in February 2017.

14. When I first started, I did ride along training to learn the job for two days.

15. At that time, there were between 25 and 30 drivers.

16. Even though we were told that the shift didn't take more than 10 hours, drivers typically worked well over 10 hours a day. Sometimes shifts were taking between 12 and 14 hours a day. A few times I even worked 18 hours a day. On average, I worked five or six days a week and between 60 and 80 hours a week.

17. If a driver finished their route, they were expected to do "rescue" work to help another driver finish their route.

18. Drivers would be fired if they did not do this rescue work.

19. All drivers were paid the same. We talked about how long the shifts took and we were expected to work excessive amounts of time with no overtime pay. This was one of the reasons that we attempted to unionize.

20. Each morning I would pick up my van from a lot that was next to the Amazon complex.

21. I would meet dispatchers at the lot next to the Amazon warehouse. The dispatchers were all managers. There were three or four dispatchers I worked under; I don't remember all of their names, but one was Larry and one was Bill.

22. The dispatchers wore Amazon shirts with Amazon's logo on them. That was Amazon's policy.

23. I had an I.D. badge to enter Amazon's facility.

24. Amazon gave us hats we were required to wear. They had Amazon logos on them.

25. I would get a dock number and a route number from the dispatcher.

26. The dispatcher would also hand out a Rabbit scanner at that time. These scanners were owned by Amazon, but were in the possession of the dispatchers.

27. I didn't clock in with my dispatcher. I clocked in once I got to the Amazon warehouse.

28. At the Amazon warehouse, there was a hand scanner that clocked drivers in.

29. I would pull my truck up to the dock that I was assigned to for the day.

30. Then, I would load the products into my truck and then went out for delivery.

31. I had to log-in to the Rabbit scanner with my e-mail address and a password.

32. Once I put my credentials into the scanner, my route was uploaded.

33. Credentials were used to track drivers' performance. If a package was lost or stolen, there would be a mark against a drivers' credentials called "concessions." If a driver had too many concessions against his or her credentials, then Amazon could drop the driver. Essentially, that would mean that you would be fired, because you couldn't work for Amazon anymore.

34. I used the Rabbit as a GPS and it told me where my stops were for the day. Once I got to the stop, I would use the Rabbit to scan the package off the truck for delivery.

35. I would leave the package at the home or business of Amazon's customers.

36. Drivers were required to fill up their trucks with gas before returning them at the end of every shift.

37. Drivers delivered to both residential and commercial buildings.

38. Drivers had to call the customer or Amazon support when we couldn't get into an apartment building. It was Amazon's policy. It was frustrating for drivers, because it took a lot of time to get into some buildings, but we had to follow Amazon's policy.

39. Sometimes, I had to delivery packages to U.S. federal buildings. Delivering packages to these buildings took more time than Amazon accounted for because of the extra security measures.

40. Amazon said that every route should only take eight hours, but because of difficulties with apartment buildings and special federal buildings, every route did not take eight hours. It depended on the circumstances. If you were running behind, Silverstar managers would call and ask what was taking so long. They told us that Amazon told them we were behind. We would then explain the situation to the managers. Sometimes, they would send rescue drivers if they didn't think we were going to be able to finish our routes.

41. Delivery drivers were not allowed to bring back anything to the Amazon warehouse. We had to deliver all of the packages regardless of how long it took.

42. I was paid by the day, regardless of how long my shift took, and I never made overtime.

43. Taxes were taken out of my paychecks.

44. The first day I was supposed to be paid, my direct deposit didn't come through to my bank account. I was concerned I wasn't going to get paid. I called the Human Resources for Silverstar in Chicago, IL. However, a human resources woman from Gold Standard Transportation helped me resolve my issue. She explained to me that Gold Standard Transportation and Silverstar have a business relationship and that I'm actually paid by both companies. She made it sounds like Gold Standard Transportation company was a parent company of Silverstar. She also explained to me that the companies were verifying my bank account and that my first check would come in check form, then going forward I would be paid by direct deposit.

45. Silverstar moved its operation from Brownstown, MI to Hazel Park, MI in October 2017. I worked at both locations. I and the other drivers were paid the same way at both locations.

46. I stopped working for Silverstar in January 2018 when Silverstar pulled out of the Michigan Amazon warehouses. One night, a manager called me and said, "Silverstar pulled out and took all of the vans back to Chicago, IL" and that I didn't have a job anymore.

47. About the day after the phone call, I checked my online portal and it said that the administration had locked my account. I couldn't access any of my time or pay records after they locked me out.

DECLARANT FURTHER SAYETH NAUGHT:



Mitchell Wasilewski

July 3, 2018